

REMARKS

Claims 1, 4-8, 12, 13, 37-39 and 42-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. (US 6491314) in view of Pierce (US 5203585). Independent claims 1 and 37 have been cancelled.

The Examiner states that Smith does not disclose a trailing arm that is cast or forged. The Examiner states that Pierce discloses this feature, and it would be obvious to modify the trailing arm of Smith to be either cast or forged to ensure a high strength of the trailing arm. Applicant respectfully disagrees.

The claimed invention is not obvious. In Smith, the Examiner refers to the embodiment of Figures 42 to 52. Smith discloses a fabricated box-section arm or beam 518 including a sleeve 542 formed from fabricated plates at its rear. An elastomeric sheet 588 is provided between the axle 524 and the sleeve 542. Beam-axle connectors 564 are bolted to both sides of the beam 518 with a bolt 582. Each connector 564 includes a wrapper band 566 formed from two fabricated plates 568 and 572 welded together around the axle, with direct contact with the axle to frictionally hold the axle 524 in place; that is, there is no direct welding (column 20, lines 16-18, 43-60). A fabricated beam extension 519 extends rearwards to support the air spring. Smith does not disclose a first component that is a cast or forged component including an arm portion integral with an axle locating portion and extending between the axle locating formation and a chassis mounting formation as claimed. In Smith, the beam 518 provides this feature.

Pierce discloses a cast or forged first member 46 with an I-section / "dog bone" section (column 3, lines 20-30). A separate axle bracket assembly 24 with arms 64 connects the axle to the arm. The axle bracket assembly does not fully encircle the axle. The member 46 does not encircle the axle.

Neither document discloses a suspension trailing arm including a first cast or forged component including an arm portion being an integral casting or forging with an axle locating formation and extending between a first portion of the axle locating formation and a chassis mounting formation, and the claimed invention is not obvious.

Additionally, there is no motivation to combine the documents. Both references focus on providing a degree of relative movement between an arm and an axle, but offer different ways of achieving this. In Smith, this is provided by the rubber bushings 560 and 588. In Pierce, the

ability of the assembly to pivot about a bolt 60 appears to provides fore-aft compliance, whereas the rubber bush would appear to provide compliance in other directions. Thus, the skilled person would have no reason to combine the two disclosures, and would have a significant practical physical barrier in doing so, given the different constructions of the two arms.

The features of many of the dependent claims are also not disclosed by many of the references. Window apertures are not disclosed as recited in claims 49 and 53, variable bending strength is not disclosed as recited in claims 10 and 11, a recessed, concave or convex portion for fitment of additional components is not disclosed in claim 13, window welds are not disclosed as recited in claim 50, wall and window apertures extend inboard are not disclosed as recited in claims 51 and 53, and an arm that merges into the wall is not disclosed as recited in claim 52.

Claims 9, 14, 15, 49 and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Pierce and Chalin et al. (US 7007960). Claims 9, 14 and 15 have been cancelled. Claims 49 and 50 depend on patentable independent claim 43 and are allowable for the reasons set forth above. Additionally, as stated above, window welds are no disclosed in either reference.

Claims 3, 10, 11, 40 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Pierce. Claim 41 has been cancelled. Claims 3, 10, 11 and 40 depend on patentable independent claim 43 and are allowable for the reasons set forth above.

The Commissioner is authorized to charge the amount of \$130.00 for the one month extension fee and any additional fees or credit any overpayment to Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C.

Respectfully Submitted,

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